

[D11dipob] [Order Authorizing DIP to Operate Business]

ORDERED.

Dated: September 22, 2016



Michael G. Williamson
Chief United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION
www.flmb.uscourts.gov

In re:

Case No.
8:16-bk-08168-MGW
Chapter 11

Westport Holdings Tampa II, Limited Partnership
dba The Villas at University Village

Debtor* /

**ORDER AUTHORIZING DEBTOR-IN-POSSESSION
TO OPERATE BUSINESS**

Debtor, having filed this Chapter 11 case, shall have the duties and authorizations described in 11 U.S.C. § 1108 and Local Rule 2081-1 and as set forth herein. Accordingly, it is

ORDERED:

1. Operation of Business. Debtor shall continue in possession and control of its property and as debtor in possession may operate its business pursuant to 11 U.S.C. § 1108. Debtor is authorized to pay all necessary and current expenses of operating its business, including taxes incurred in the operation of the business or imposed on its property, to the extent that such payments are post-petition obligations and are necessary to preserve the assets or operate the business. Subject to the provisions of 11 U.S.C. §§ 363 and 365, Debtor may use, sell, or lease property of the estate.
2. Debtor-in-Possession Bank Accounts. Consistent with 11 U.S.C. § 345, Debtor is authorized and directed to open and maintain debtor-in-possession bank accounts for the deposit, investment, and disbursement of monies of the estate.
3. Insurance. Debtor shall maintain insurance customary and appropriate to Debtor's industry.
4. Tax Returns. No later than 30 days from the date of service of this Order, Debtor shall file with the appropriate agency any delinquent federal or state tax return for any tax period. Debtor shall timely file all federal and state tax returns required to be filed after the commencement of this case and shall timely pay all personal federal and state taxes that are due and payable after the commencement of this case. Debtor shall maintain copies of all tax returns, reports, and proof of all payments and make these available upon request for inspection by any representative of the appropriate taxing agency, the United States Trustee, or any trustee appointed in this case.
5. Tax Deposits. Within three business days following the end of all pay periods, Debtor shall make all tax deposits as required by the Internal Revenue Service and the State of Florida.

6. Disclosure Statement and Plan of Reorganization. If this case is a small business case as defined by 11 U.S.C. § 101(51C), (51D), Debtor shall file a plan within 180 days from the date of the order for relief under chapter 11 or by such other date set by the Court. Otherwise, Debtor shall file a disclosure statement and plan of reorganization no later than 120 days from the date of the order for relief under Chapter 11 or by such other date set by the Court. Any motion for an enlargement of time to file a disclosure statement and plan shall be filed before 120 days from the date of the order for relief under Chapter 11 or by such other date set by the Court and shall state good cause for such relief.

7. Retention of Jurisdiction. The Court retains jurisdiction to alter, modify, amend, revoke, enforce, and impose sanctions with respect to each provision of this Order.

8. Failure to Comply. Debtor's failure to comply with any of the provisions of this Order shall constitute cause for the dismissal or conversion of this case.